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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

33

Application Number

10/783,437

Filing Date

February 20, 2004

First Named Inventor

Joseph J. Kubler et al.

Art Unit

2619

Examiner Name

Tran, Khuong

Attorney Docket Number

14364US19

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Litigation Statement Pursuant To MPEP §2001.06(C) and Information Disclosure Statement
- ☒ 2 copies of PTO/SB/08A, and copy of cited foreign reference
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

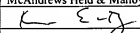
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Return-Receipt Postcard
- ☐ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm: McAndrews Held & Malloy, Ltd.

Signature: 

Printed Name: Kevin E. Borg, Reg. No. 51,486

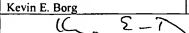
Date: May 3, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 05/03/2006

Name (Print/type): Kevin E. Borg

Registration No. (Attorney/Agent): 51,486

Signature: 

Date: 05/03/2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Joseph J. Kubler et al.

Serial No. 10/783,437

Filed: February 20, 2004

For: Hierarchical Data Collection Network
Supporting Packetized Voice
Communications Among Wireless
Terminals And Telephones

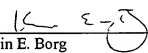
Examiner: Chin, Wellington

Group Art Unit: 2616

Confirmation No.: 6381

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Kevin E. Borg
Reg. No. 51,486

**LITIGATION STATEMENT PURSUANT TO MPEP § 2001.06(C) and INFORMATION
DISCLOSURE STATEMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-467, pending in the Central District of California.

Pursuant to MPEP 2001.06(c), the Applicants would like to bring to the attention of the U.S. Patent and Trademark Office that the subject matter currently being claimed in the present application may be related to at least one of the patents currently asserted by Broadcom in the above-mentioned lawsuit. For the Office's benefit, Applicants enclose as Exhibit A a list of the patents currently asserted by Broadcom in the above-mentioned pending action.

The Applicants also encloses as Exhibit B a completed PTO form PTO/SB/08A which has one (1) page, as well as a copy of each printed reference listed in the enclosed form PTO/SB/08A. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned actions. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO/SB/08A and return one copy to the applicants to indicate consideration of the enclosed references.

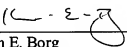
No fee is believed to be due because:

- * The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: May 3, 2006



Kevin E. Borg
Reg. No. 51,486
McAndrews, Held & Malloy, Ltd.
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Chicago, Illinois 60661
(312) 775-8000



EXHIBIT A



Patents Currently Asserted by Broadcom in Civil Action No. 05-467 (CD Cal.)

5,425,051
5,657,317
6,285,865
6,389,010
6,847,686



EXHIBIT B



U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/783,437
Filing Date	February 20, 2004
First Named Inventor	Joseph J. Kubler et al.
Group Art Unit	2619
Examiner Name	Tran, Khuong
Attorney Docket No.	14364US19

U.S. PATENT DOCUMENTS

Examiner Initial*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
	A1	4,553,081	11-12-1985	Koenck	
	A2	4,716,354	12-29-1987	Hacker	
	A3	4,961,043	10-02-1990	Koenck	
	A4	5,260,988	11-09-1993	Schellinger et al.	
	A5	5,371,898	12-06-1994	Grube et al.	
	A6	5,420,911	05-30-1995	Dahlin et al.	
	A7	5,452,289	09-19-1995	Sharma et al.	
	A8	5,533,019	07-02-1996	Jayapalan	
	A9	5,546,077	10-08-1996	Obayashi et al.	
	A10	5,594,782	01-14-1997	Zicker et al.	
	A11	5,610,910	03-11-1997	Focsaneanu et al.	
	A12	5,654,957	08-05-1997	Koyama	
	A13	5,754,542	05-19-1998	Ault et al.	
	A14	5,764,736	06-09-1998	Shachar et al.	
	A15	5,777,991	07-07-1998	Adachi et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² -Number ³ -Kind Code ⁴ (if known)				
	B1	PCT/WO91/08629	06-13-1991	Berken		

OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

EXAMINER SIGNATURE	/Khuong Tran/	DATE CONSIDERED	03/04/2008
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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND.

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Rev. Sept.03
J:\Open\phs\Broadcom (1772)\Qualcomm\Santa Ana 05-467 Litigation Statement & IDS\5,657,317 and 6,389,010 - VoIP\No Fee\14364US19\14364US19
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./



Substitute for form 1449A/PTO

(use as many sheets as necessary)

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		Country Code*, Number*, Kind Code* (if known)				
	B1	PCTWO91/08629	06-13-1991	Berken		

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Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

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EXAMINER SIGNATURE	/Khuong Tran/	DATE CONSIDERED	03/04/2008
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*Applicant to place a check mark here if English language Translation is attached.

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